IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMARY SUIT NO.2442 OF 1986

Bank of India ..Plaintiffs

Vs.

Parikh Brothers and Ors. ..Defendants

Ms.F.Behram Kamdin with Ms.Vibhuti Vyas i/b FZB and Associates for the plaintiffs

Mr.M.R.Vanoo for the defendant nos. 1 to 5

Ms.Meena Madhusudan i/b Eastley Lam and Co. for the defendant no.6 to 10

CORAM : S.U.KAMDAR, J
DATED : 7TH MARCH, 2006

P.C.:

. By consent of the parties, the following order is passed:

. There shall be decree on admission against the defendants and in favour of the plaintiffs for the amount of Rs.24.0 lacs. However, the said decree to be marked 'satisfied' on payment of Rs.24.0 lacs in full and final settlement of the claim. The amount to be paid by the defendants within 8 weeks failing which the plaintiffs will be

entitled to execute decree. In an event, if the amount is so paid, the plaintiffs to hand over the original title deeds in respect of the flat premises bearing no.111, Shri Brij Kutir Co-operative Housing Society, Napean Sea Road, Mumbai 400 036. In an event, if the amount is not so paid, the plaintiffs will be entitled to execute decree by the sale of the mortgaged flat and recovery thereof and if the amount is not so paid within 8 weeks, the said amount will carry interest @ 18% p.a. Suit disposed of accordingly. Refund of court fee as per rules. Receiver to continue in execution until the payment is made by the defendants to the plaintiffs on payment of Rs.24.0 lacs and interest. If there is a delay in payment, Court Receiver to stand discharged.